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*Attorneys for Defendant  
MicroDAQ.com, Ltd.*

IN THE UNITED STATES DISTRICT COURT  
  
FOR THE DISTRICT OF OREGON  
  
PORTLAND DIVISION

**CONTROL SOLUTIONS, INC.,**

Plaintiff,

v.

**MICRODAQ.COM, INC.,** a New Hampshire  
corporation,  
**Does 1 through 10,**

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Case No. 3:15-cv-00748

**DEFENDANT MICRODAQ.COM, LTD.'S  
NOTICE OF REMOVAL TO FEDERAL  
COURT**

The Defendant, MicroDAQ.com, Ltd. (“MicroDAQ”) hereby removes the within action from the Circuit Court of the State of Oregon for the County of Columbia to the United States District Court for the District of Oregon, Portland Division, pursuant to 28 U.S.C. §§ 1331, 1332, 1367, 1441 and 1446. As grounds for removal of this action, MicroDAQ states as follows:

1. By Complaint filed on April 3, 2015, with the Circuit Court of the State of Oregon, County of Columbia, the Plaintiff, Control Solutions, Inc. purported to allege the following claims against MicroDAQ:

- a. ORS § 646.608 (Unlawful business and trade practices)
- b. ORS § 646.638 (Civil action by private party)
- c. ORS § 647.135 (Trademark Counterfeiting)
- d. ORS § 647.107 (Anti-Dilution)
- e. Interference with prospective business advantage
- f. Intentional Interference with Economic Relations
- g. Common law trademark infringement
- h. 15 U.S.C. § 1114 (trademark infringement)
- i. 15 U.S.C. § 1125 (trademark infringement and false advertising)

See State Court Summons and Complaint, Exhibit A hereto. In compliance with 28 U.S.C. § 1446(a), Exhibit A constitutes all process, pleadings, and orders served on MicroDAQ to date.

2. Removal is proper under 28 U.S.C. § 1441(a) because this Court has original federal question jurisdiction (28 U.S.C. § 1331) over the purported federal trademark and false advertising claims. See also 15 U.S.C. § 1121 (providing that federal district courts have original jurisdiction over Lanham Act claims). This Court also has supplemental jurisdiction

over the purported state law claims pursuant to 28 U.S.C. § 1367, because they are based upon the same alleged conduct as the federal claims and therefore are part of the same case or controversy.

3. In addition, removal is proper under 28 U.S.C. § 1441(b) because this Court has diversity jurisdiction (28 U.S.C. § 1332) over the matter. Plaintiff's Complaint alleges that Plaintiff and Defendants are citizens of different states, and prays for damages of \$1.2 million.

4. MicroDAQ certifies that a true and correct copy of this Notice of Removal to Federal Court will promptly be filed with the Clerk of the Circuit Court of the State of Oregon for the County of Columbia, pursuant to 28 U.S.C. § 1446(d), and served upon Plaintiff's attorney.

WHEREFORE, MicroDAQ prays that this action be removed from the Circuit Court of the State of Oregon for the County of Columbia to this Court.

Respectfully submitted,

Dated: May 1, 2015

By: s/ Klaus H. Hamm  
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*Attorneys for Defendant  
MicroDAQ.com, Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 1, 2015, I mailed a copy of the foregoing by first-class mail,  
postage prepaid to:

Gano Lemoine  
Lemoine Law Firm  
1631 NE Broadway Street, Box 722  
Portland, OR 97232

s/ Brooke A. Peterson  
Brooke A. Peterson